IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 191 OF 2004.

Aba Keru Mahanwar. ... Appellant.

Versus.

Meru Baburao Lokhande & others. ... Respondents.

Shri V.S.Talkute for the Appellant.

CORAM : ABHAY S.OKA, J.

DATED : 21st July, 2006.

P.C.:

1. Heard Shri Talkute for the Appellant. The Appeal is by the original Defendant. The trial Court passed a decree in favour of the original Plaintiff declaring the original Plaintiff as owner of the suit land. A decree for possession has also been passed by the trial Court. The decree has been confirmed by the Appellate court. The learned Advocate for the Appellant submitted that the findings recorded by the Courts below are perverse and therefore, interference is called for. After having perused the impugned Judgments I find that the findings recorded by the Courts below are based on admitted position between the parties as well as on appreciation of the oral and documentary evidence on record. No substantial question of law arises in the Second Appeal and the same is dismissed.

Judge.